

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

21 U.S.C. §§ 841(a)(1), (b)(1)(C), 860(a) (Distribution of and Possession With Intent to Distribute Methamphetamine Near a School); 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm and Ammunition); 18 U.S.C. § 924(c)(1) (Using, Carrying, or Possessing a Firearm in Connection with a Drug Trafficking Crime); 18 U.S.C. § 924(d)(1)

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

 SUSAN Y. SOONG
 REUBEN PRECIADO, DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

DISTRICT COURT NUMBER

CR16-00010

CRB

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☒ Is on Bail or Release from (show District)
 San Francisco County Superior Court

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

☒ person is awaiting trial in another Federal or State Court, give name of court

Superior Court of California, San Francisco County

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District
☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Jerome Mayer-Cantu

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No bail.

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

Attachment A

Count One: 21 U.S.C. §§ 841(a)(1), (b)(1)(C), 860(a) (Distribution of and Possession With Intent to Distribute Methamphetamine Near a School)

Penalties: Between 1 and 40 years of imprisonment; maximum fine of \$2,000,000; at least 6 years of supervised release; a mandatory \$100 special assessment.

Count Two: 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm and Ammunition)

Penalties: Up to 10 years of imprisonment; maximum fine of \$1,000,000; up to 3 years of supervised release; a mandatory \$100 special assessment.

Count Three: 18 U.S.C. § 924(c)(1) (Using, Carrying, or Possessing a Firearm in Connection with a Drug Trafficking Crime)

Penalties: At least 5 years of imprisonment, to be served consecutively.

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,


V.

REUBEN PRECIADO,

DEFENDANT(S).

INDICTMENT

21 U.S.C. § 841(a)(1) & (b)(1)(C) 860(a) - Distribution of and Possession with
Intent to Distribute Methamphetamine Near School ;
18 U.S.C. § 922(g) (1)- Felon in Possession of Firearm and Ammunition;
18 U.S.C. § 924(c)(1)- Using, Carrying, or Possessing a Firearm in Connection with
Drug Trafficking Crime:
18 U.S.C § 924(d)(1), 21 U.S. C § 853 & 28 U.S.C. § 2481 - Criminal Forfeiture


A true bill.

Foreman

Filed in open court this 7th day of January

2016


Clerk

Bail, \$ no bail waived

CRB

FILED

JAN - 7 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

FILED

JAN - 7 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

CRB

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 REUBEN PRECIADO,

16 Defendant.

CASE NO.

CR16-00010

) VIOLATIONS: 21 U.S.C. §§ 841(a)(1), (b)(1)(C),
) 860(a) (Distribution of and Possession With Intent to
) Distribute Methamphetamine Near a School); 18
) U.S.C. § 922(g)(1) (Felon in Possession of a Firearm
) and Ammunition); 18 U.S.C. § 924(c)(1) (Using,
) Carrying, or Possessing a Firearm in Connection with
) a Drug Trafficking Crime); 18 U.S.C. § 924(d)(1), 21
) U.S.C. § 853 & 28 U.S.C. § 2461 (Criminal
) Forfeiture)

) SAN FRANCISCO VENUE

19
20 INDICTMENT

21
22 The Grand Jury charges:

23 COUNT ONE: (21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 860(a) – Distribution and Possession with
24 Intent to Distribute Methamphetamine Within 1,000 Feet of a School)

25 On or about November 19, 2015, in the Northern District of California, the defendant,

26 REUBEN PRECIADO,

27 did knowingly and intentionally distribute and possess with intent to distribute a Schedule II controlled
28 substance, to wit: methamphetamine, its salts, isomers, and salts of its isomers, and did so within 1,000

1 feet of the real property comprising Marshall Elementary School, an elementary school in San
 2 Francisco, California, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), and
 3 860(a).

4 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition)

5 On or about November 19, 2015, in the Northern District of California, the defendant,
 6 REUBEN PRECIADO,
 7 after having been convicted in a court of a crime punishable by a term of imprisonment exceeding one
 8 year, unlawfully and knowingly possessed a firearm, to wit, one Jimenez .380 caliber J.A. model pistol
 9 with serial number 314649, and ammunition, to wit, six DRT-brand, .380 caliber ammunition rounds, in
 10 and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section
 11 922(g)(1).

12 COUNT THREE: (18 U.S.C. § 924(c) – Using, Carrying, or Possessing a Firearm in Connection
 13 with a Drug Trafficking Crime)

14 On or about November 19, 2015, in the Northern District of California, the defendant,
 15 REUBEN PRECIADO,
 16 did knowingly carry and use a firearm, that is, a Jimenez .380 caliber J.A. model pistol with serial
 17 number 314649, during and in relation to the drug trafficking crime charged in Count One of this
 18 Indictment, and did knowingly possess said firearm in furtherance of the drug trafficking crime charged
 19 in Count One of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

20 FORFEITURE ALLEGATION: (18 U.S.C. § 924(d), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c))

21 The allegations contained in Counts One through Three of this Indictment are hereby realleged
 22 and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States
 23 Code, Section 924(d), Title 21, United States Code, Section 853, and Title 28, United States Code,
 24 Section 2461(c).

25 Upon conviction of the offense alleged in Count One above, the defendant,
 26 REUBEN PRECIADO,
 27 shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a), all right, title,
 28 and interest in any property constituting or derived from any proceeds the defendant obtained, directly or

indirectly, as a result of said violation, and any property used, or intended to be used, to commit or to facilitate the commission of such violation, including but not limited to the following property:

- a. one Jimenez .380 caliber J.A. model pistol with serial number 314649; and
- b. six DRT-brand .380 caliber ammunition rounds.

Upon conviction of any of the offenses alleged in Counts Two and Three above, the defendant,

REUBEN PRECIADO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all right, title, and interest in any firearm and ammunition involved in or used in any violation of said offenses, including but not limited to:

- a. one Jimenez .380 caliber J.A. model pistol with serial number 314649; and
- b. six DRT-brand .380 caliber ammunition rounds.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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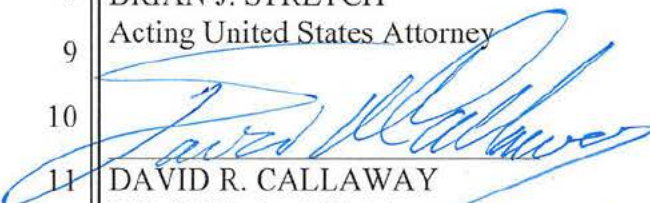
1 All in violation of Title 18, United States Code, Section 924(d), Title 21, United States Code,
2 Section 853, and Title 28, United States Code, Section 2461(c), and pursuant to Rule 32.2 of the Federal
3 Rules of Criminal Procedure.


4 DATED: 1/7/16

A TRUE BILL.

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FOREPERSON

BRIAN J. STRETCH
Acting United States Attorney


DAVID R. CALLAWAY
Chief, Criminal Division

(Approved as to form: )

JEROME MAYER-CANTU
Assistant United States Attorney